

# **SERVING COURT PAPERS ON THE OTHER PARTY AT THE START OF YOUR CASE**

- [ ] YOU STARTED A COURT CASE BY FILING A COMPLAINT/PETITION WITH THE COURT
- [ ] YOU NEED TO SERVE THE COURT PAPERS ON THE OTHER PARTY

Before signing a court document or getting involved with a court case, it's important to see an attorney to make sure you know your legal rights and responsibilities. The Self-Help Center has information on finding an attorney.

## INSTRUCTIONS: SERVING COURT PAPERS ON THE OTHER PARTY AT THE START OF YOUR CASE

Read all forms and instructions before starting. Fill out forms by printing in blue ink or typing. Do not fill in un-numbered blanks on forms.

**Notaries:** Some forms must be signed in front of a notary public. You can find a notary at most banks or listed in the Yellow Pages. The person signing must bring photo ID. Notaries usually charge a fee.

### SERVICE METHODS

Where does the other party live?	Use service method #:
In Arizona, not on an Indian Reservation	1, 2, or 3
In the U.S., outside Arizona, not on an Indian Reservation	1, 2, 3, or 4
On an Indian Reservation*	1, 5, or 6
I don't know	7
Outside the U.S.	See an attorney for help

**\*If The Other Party Lives on an Indian Reservation:** Depending on the circumstances and facts of your case, there may be additional service options. An attorney can advise you.

- 1. Acceptance of Service:** Use this method to ask the other party to accept service so you don't have to use the more costly methods listed below. Service is complete when the other party signs the Acceptance of Service. See the forms and instructions for "Acceptance of Service" in this packet. Do not use this method if you are a victim of domestic violence or believe the other party will become violent or uncooperative.
- 2. Service by Registered Process Server:** This method requires you to hire and pay a registered process server. This fee cannot be waived or deferred. Service is complete when the process server hands the other party the court papers. See the instructions and forms for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.
- 3. Service by Sheriff:** This method requires you to contact the sheriff's office in the county where the other party lives. You must pay a fee to the sheriff's office unless you receive a fee waiver or deferral (see the Self-Help Center packet *Filing Fee Deferral at the Start of Your Case*). Only the Coconino County sheriff's office is required to accept a fee waiver or deferral from a Coconino court. Service is complete when the officer hands the other party the court papers. See the instructions and forms for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.
- 4. Service by Certified Mail, Return Receipt Requested:** This method lets you serve the court papers by mail delivery that requires the other party to personally sign a receipt for the papers. The postal service will return the signed receipt (a green card) to you, and you will file it with the court. Service is complete when the other party signs the green card.

See the instructions and forms for “Service by Certified Mail, Return Receipt Requested” in this packet.

5. **Service by Tribally Licensed Process Server:** This method requires you to hire and pay a tribally licensed process server. This fee cannot be waived or deferred. Service is complete when the process server hands the other party the court papers. See the instructions and forms for “Service by Process Server, Sheriff, or Tribal Law Enforcement” in this packet.
6. **Service by Tribal Law Enforcement:** This method requires you to contact law enforcement on the reservation where the other party lives to arrange for an officer to serve the other party. Tribal law enforcement may charge a fee for service. Tribal law enforcement *may* choose to accept a Coconino fee waiver. Service is complete when the officer hands the other party the court papers. See the instructions and forms for “Service by Process Server, Sheriff, or Tribal Law Enforcement” in this packet.
7. **Service by Publication:** This method requires you to have the Summons published in a newspaper once a week for four weeks in a row. Service by publication can be expensive and delay your case. If you use this method, you cannot get a decree, order, or money judgment, including child support and spousal maintenance. You must pay the newspaper a fee unless you receive a fee waiver or deferral (see the Self-Help Center packet *Filing Fee Deferral at the Start of Your Case*). Service is complete 30 days after the first publication. See the instructions and forms for “Service by Publication” in this packet.

## INSTRUCTIONS: ACCEPTANCE OF SERVICE

### STEP 1: FILL OUT THE ACCEPTANCE OF SERVICE

- (1) Enter your name; street address; city, state, and zip code; and phone number.
- (2) Enter your name as it appears on the Complaint/Petition.
- (3) Enter the other party's name as it appears on the Complaint/Petition.
- (4) Enter the case number as it appears on the Complaint/Petition.
- (5) Enter the other party's name.
- (6) Check the box next to each document listed under your case type. If your case type is "Other", check the box next to "Complaint/Petition", use the blanks to list each additional document you filed with the court, and check the box next to each of those documents.
- (7) Enter the other party's street address; city, state, and zip code; and phone number.

### STEP 2: HAVE THE OTHER PARTY SIGN THE ACCEPTANCE OF SERVICE

You can 1) hand-deliver the forms to the other party when you file your Complaint/Petition, 2) hand-deliver them in front of a notary after you file, or 3) mail them after you file. Keep a copy of everything for your records.

**Hand-deliver the forms when you file:** Meet the other party at the Courthouse when you file your Complaint/Petition. The other party must bring photo ID. You must bring:

- ☐ The original Acceptance of Service
- ☐ One copy of the Acceptance of Service for the other party's records
- ☐ One copy of each document you checkmarked on the Acceptance of Service
- ☐ The original Summons

After you file your Petition/Complaint and the Clerk issues the Summons, give the other party the documents listed above. Have the other party sign the Acceptance of Service in front of the Clerk.

**Hand-deliver the forms in front of a notary:** Meet the other party in front of a notary public after you file your Petition/Complaint. You must bring:

- ☐ The original Acceptance of Service
- ☐ One copy of the Acceptance of Service for the other party's records
- ☐ One copy of each document you checkmarked on the Acceptance of Service
- ☐ The original Summons

Give the other party the documents listed above, and have him/her sign the Acceptance of Service in front of the notary. Take the original, signed Acceptance of Service to file with the court.

**Mail the forms:** Send the following to the other party through certified mail after you file your Petition/Complaint.

- ☐ The original Acceptance of Service
- ☐ A self-addressed, stamped envelope
- ☐ One copy of each document you checkmarked on the Acceptance of Service
- ☐ The original Summons

Wait for the other party to return the signed Acceptance of Service to you. If the other party does not return it, you must use one of the other service methods listed in this packet.

**STEP 3: FILE THE SIGNED ACCEPTANCE OF SERVICE WITH THE COURT**

Take or mail the following to the Clerk's Office in the Coconino County Courthouse at 200 N. San Francisco, Flagstaff, AZ 86001.

- ☐ The original and one copy of the signed Acceptance of Service
- ☐ Two copies of the Summons

The Clerk will stamp your copies with the filing date and return them to you for your records. To have the date-stamped copies returned to you if you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the copies to you.

(1) Person Filing: \_\_\_\_\_  
 Street Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Representing Self \_\_\_\_\_

**SUPERIOR COURT OF ARIZONA, COUNTY OF COCONINO**

(2) Plaintiff/Petitioner: \_\_\_\_\_ (4) Case Number: \_\_\_\_\_

(3) Defendant/Respondent: \_\_\_\_\_ **ACCEPTANCE OF SERVICE**

(5) To: \_\_\_\_\_:

*Please sign this form in front of a notary public and return it to me in the enclosed self-addressed, stamped envelope to save the cost of hiring someone to serve you with the court papers. Signing does not mean you agree with what I'm asking for, and you can still state your case at the hearing if one is set in this matter.*

**1. Court Papers:** I acknowledge I have voluntarily accepted a copy of the following legal papers.  
*(You must receive each document listed under your type of case before the case can proceed.)*

(6)

<b>Divorce with Children</b> <input type="checkbox"/> Petition <input type="checkbox"/> Affidavit on Minor Children (may be in Petition) <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice on parent information class <input type="checkbox"/> Parent Information Class Registration Form <input type="checkbox"/> Parent's Worksheet for Child Support Amount <input type="checkbox"/> Child Support Order <input type="checkbox"/> Order of Assignment <input type="checkbox"/> Notice Regarding Community Debts <input type="checkbox"/> Notice Regarding Health Insurance <input type="checkbox"/> Decree	<b>Legal Separation with Children</b> <input type="checkbox"/> Petition <input type="checkbox"/> Affidavit on Minor Children (may be in Petition) <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice on parent information class <input type="checkbox"/> Parent Information Class Registration Form <input type="checkbox"/> Parent's Worksheet for Child Support Amount <input type="checkbox"/> Child Support Order <input type="checkbox"/> Order of Assignment <input type="checkbox"/> Notice Regarding Community Debts <input type="checkbox"/> Decree
<b>Divorce without Children</b> <input type="checkbox"/> Petition <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice Regarding Community Debts <input type="checkbox"/> Notice Regarding Health Insurance <input type="checkbox"/> Decree	<b>Legal Separation without Children</b> <input type="checkbox"/> Petition <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice Regarding Community Debts <input type="checkbox"/> Decree
<b>Other</b> <input type="checkbox"/> Complaint/Petition Other papers you filed with the court when you started your case: <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____	

2. **Accept and Waive Formal Service:** I waive formal service of process (service by a process server or sheriff) and understand that by accepting these papers it is the same as if I were personally served under Arizona Law {Rules 4, 4.1, 4.2, Arizona Rules of Civil Procedure).
3. **Response Deadline:** I am aware that by accepting service of these court papers and signing this paper, my right or obligation to file a written Response or Answer to this action is not affected. I understand that if I do not agree with any relief asked for in the Petition, I must respond or answer within 20 days from the day I signed the original Acceptance of Service if I accepted service in Arizona or 30 days from that date if I received the papers outside of Arizona.
4. **Default Judgment, Order, or Decree:** I understand that if I do not appear and defend in this action in Court within the time allowed by law I may lose my right to be heard in this case. I understand that failure to respond or answer could result in the Court giving the other party any and all things requested in his or her legal papers through a default judgment, order, or decree.
5. **Divorce Cases Only: Restore Name:** *(Complete this part only if you want to restore your name to what it was before the marriage.)* I took the name of my spouse at the time of marriage, and I want to restore my name to the name I used before the marriage.  
That name is: \_\_\_\_\_.

\_\_\_\_\_  
Signature of Person Accepting Service

(7) Address of Person Accepting Service:

\_\_\_\_\_  
\_\_\_\_\_  
Phone #: \_\_\_\_\_

State of Arizona )  
County of \_\_\_\_\_ )

Subscribed and sworn or affirmed before me this date: \_\_\_\_\_  
by: \_\_\_\_\_.

Seal:

Notary Public: \_\_\_\_\_  
Notary Expiration Date: \_\_\_\_\_

## **INSTRUCTIONS: SERVICE BY PROCESS SERVER, SHERIFF, OR TRIBAL LAW ENFORCEMENT**

### **STEP 1: FIND A PROCESS SERVER, SHERIFF, OR TRIBAL LAW ENFORCEMENT OFFICER**

Find a process server in the county where the other party lives. Process servers are listed in the Yellow Pages. If the other party lives on an Indian reservation, find a tribally licensed process server in the tribe's phonebook or go through tribal law enforcement.

OR

Find the sheriff's office in the county where the other party lives or the tribal law enforcement office on the Indian reservation where the other party lives. They should be listed in the government pages of the phonebook. The Coconino County Sheriff's Office is at 911 East Sawmill, Flagstaff, AZ 86004, 928-774-4523 or (toll-free) 800-338-7888.

### **STEP 2: CALL THE PROCESS SERVER, SHERIFF, OR TRIBAL LAW ENFORCEMENT OFFICER**

Call the process server, sheriff, or tribal law enforcement officer. Have your Petition/Complaint in front of you. Ask the following questions.

- ☐ How much do you charge for service of process?
- ☐ Do I pay up front, or will you bill me?
- ☐ Do you file the Affidavit of Service with the court and mail me a copy, or do I need to file it myself? (Once the papers are served on the other party, an Affidavit of Service must be filed with the court. The process server, sheriff, or tribal law enforcement officer will produce the Affidavit of Service. Some will file it with the court and mail you a copy; others will mail you the original to file yourself.)

If you have a fee waiver or deferral and you are using tribal law enforcement or a sheriff's office in a county other than Coconino, also ask the following:

- ☐ Do you accept fee waivers or deferrals from Coconino County?

### **STEP 3: FILL OUT THE LETTER: SERVICE BY PROCESS SERVER, SHERIFF, OR TRIBAL LAW ENFORCEMENT**

- (1) Enter your name; street address; city, state, and zip code; and phone number.
- (2) Enter the date you will mail or deliver the Letter.
- (3) If you are using a sheriff, enter the county of that sheriff's office.
- (4) If you are using a process server, enter that process server's name.
- (5) If you are using tribal law enforcement, enter the tribe's name.
- (6) Enter the sheriff's, process server's, or tribal law enforcement officer's street address and city, state, and zip code.
- (7) Enter the other party's name and the case number as they appear on the Petition/Complaint.



- (8) Check the box next to each document listed under your case type. If your case type is “Other”, check the box next to “Complaint/Petition”, use the blanks to list each additional document you filed with the court, and check the box next to each of those documents.
- (9) Check the appropriate box. Enter the other party’s home address, work address, and other address if applicable.
- (10) Enter the other party’s sex, race, birthdate, height, weight, eye color, hair color, social security number, and additional description if any (for example, “scar on forehead”).
- (11) Enter the other party’s vehicle’s make, model, year, color, and additional description if any (for example, “happy face sticker on rear fender”).
- (12) Check the appropriate box. Enter the dollar amount if applicable.
- (13) Sign your name.

**STEP 4: GIVE THE FORMS TO THE PROCESS SERVER, SHERIFF, OR TRIBAL LAW ENFORCEMENT OFFICER**

Take or mail the following to the process server, sheriff, or tribal law enforcement officer. Keep copies of everything for your records.

- ☐ The original Letter: Service by Process Server, Sheriff, or Tribal Law Enforcement
- ☐ If applicable, a certified copy of the court order waiving or deferring fees
- ☐ If applicable, the fee
- ☐ The original Summons
- ☐ One copy of each document you checked in Blank 8 of the Letter

**STEP 5A: WAIT FOR THE PROCESS SERVER, SHERIFF, OR TRIBAL LAW ENFORCEMENT OFFICER TO MAIL YOU THE AFFIDAVIT OF SERVICE**

If you were told in Step 2 that the process server, sheriff, or tribal law enforcement officer will file the Affidavit with the court, then wait for them to mail you a copy of the Affidavit stamped with the date it was filed (this is called a “conformed” copy). Keep in touch with the process server, sheriff, or tribal law enforcement officer to make sure the Affidavit is filed by the hearing date.

**STEP 5B: FILE THE AFFIDAVIT OF SERVICE WITH THE COURT**

If you were told in Step 2 that you must file the Affidavit with the court, wait for the process server, sheriff, or tribal law enforcement officer to mail you the original Affidavit.

Then take or mail the original and one copy of the Affidavit to the Superior Court Clerk’s Office in the Coconino County Court House at 200 North San Francisco, Flagstaff, AZ 86001. The Clerk will stamp your copy with the filing date and return it to you for your records. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the copy.

## LETTER: SERVICE BY PROCESS SERVER, SHERIFF, OR TRIBAL LAW ENFORCEMENT

- (1) Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_
- (2) Date: \_\_\_\_\_
- (3) Sheriff of the County of *(if serving by sheriff)* \_\_\_\_\_
- (4) Process Server's Name *(if serving by process server)*: \_\_\_\_\_
- (5) Tribal Law Enforcement of *(if serving by tribal law enforcement)* \_\_\_\_\_
- (6) Street Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_
- (7) Re: Name of Person to Be Served: \_\_\_\_\_  
Court Case Number: \_\_\_\_\_

To whom it may concern:

- (8) Please find enclosed a copy of the Summons and of the following documents to be served on the other party in the court case referenced above:

<b>Divorce with Children</b> <input type="checkbox"/> Petition <input type="checkbox"/> Affidavit on Minor Children (may be in Petition) <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice on parent information class <input type="checkbox"/> Parent Information Class Registration Form <input type="checkbox"/> Parent's Worksheet for Child Support Amount <input type="checkbox"/> Child Support Order <input type="checkbox"/> Order of Assignment <input type="checkbox"/> Notice Regarding Community Debts <input type="checkbox"/> Notice Regarding Health Insurance <input type="checkbox"/> Decree	<b>Legal Separation with Children</b> <input type="checkbox"/> Petition <input type="checkbox"/> Affidavit on Minor Children (may be in Petition) <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice on parent information class <input type="checkbox"/> Parent Information Class Registration Form <input type="checkbox"/> Parent's Worksheet for Child Support Amount <input type="checkbox"/> Child Support Order <input type="checkbox"/> Order of Assignment <input type="checkbox"/> Notice Regarding Community Debts <input type="checkbox"/> Decree
<b>Divorce without Children</b> <input type="checkbox"/> Petition <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice Regarding Community Debts <input type="checkbox"/> Notice Regarding Health Insurance <input type="checkbox"/> Decree	<b>Legal Separation without Children</b> <input type="checkbox"/> Petition <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice Regarding Community Debts <input type="checkbox"/> Decree
<b>Other</b> <input type="checkbox"/> Complaint/Petition Other papers you filed with the court when you started your case: <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____	

**Details about the Other Party:**

(9) During the workday, the other party can usually be found at: ☐ Home ☐ Work ☐ Other

Home Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Work Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Other Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Or other description of location: \_\_\_\_\_

(10) Physical Description:

Sex	Race	Birth	Height	Weight	Eyes	Hair	SSN
Additional Description:							

(11) Description of the Other Party's Vehicle:

Make	Model	Year	Color
Additional Description:			

(12) ☐ I enclose \$\_\_\_\_\_ in payment for service of process.

☐ I understand I will be billed for service of process.

☐ I enclose a certified copy of a court order waiving or deferring the fee.

Please note that each document served must be named in the Affidavit of Service.

Thank you for your assistance.

(13) \_\_\_\_\_

Enclosures

**INSTRUCTIONS: SERVICE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

**STEP 1: PREPARE THE COURT PAPERS FOR MAILING**

Put the following in an envelope addressed to the other party. Keep a copy of everything for your records.

- ☐ The original Summons
- ☐ One copy of each document listed under your case type below

<b>Divorce with Children</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Petition</li><li><input type="checkbox"/> Preliminary Injunction</li><li><input type="checkbox"/> Notice on parent information class</li><li><input type="checkbox"/> Parent Information Class Registration Form</li><li><input type="checkbox"/> Parent's Worksheet for Child Support Amount</li><li><input type="checkbox"/> Child Support Order</li><li><input type="checkbox"/> Order of Assignment</li><li><input type="checkbox"/> Notice Regarding Community Debts</li><li><input type="checkbox"/> Notice Regarding Health Insurance</li><li><input type="checkbox"/> Decree</li></ul>	<b>Legal Separation with Children</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Petition</li><li><input type="checkbox"/> Preliminary Injunction</li><li><input type="checkbox"/> Notice on parent information class</li><li><input type="checkbox"/> Parent Information Class Registration Form</li><li><input type="checkbox"/> Parent's Worksheet for Child Support Amount</li><li><input type="checkbox"/> Child Support Order</li><li><input type="checkbox"/> Order of Assignment</li><li><input type="checkbox"/> Notice Regarding Community Debts</li><li><input type="checkbox"/> Decree</li></ul>
<b>Divorce without Children</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Petition</li><li><input type="checkbox"/> Preliminary Injunction</li><li><input type="checkbox"/> Notice Regarding Community Debts</li><li><input type="checkbox"/> Notice Regarding Health Insurance</li><li><input type="checkbox"/> Decree</li></ul>	<b>Legal Separation without Children</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Petition</li><li><input type="checkbox"/> Preliminary Injunction</li><li><input type="checkbox"/> Notice Regarding Community Debts</li><li><input type="checkbox"/> Decree</li></ul>
<b>Other</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Complaint/Petition</li></ul> Other papers you filed with the court when you started your case: <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____	

**STEP 2: SEND THE COURT PAPERS TO THE OTHER PARTY THROUGH CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Take the court papers you collected in Step 1 to the post office. Ask to have them mailed "certified mail, deliver to addressee only, restricted delivery, return receipt requested".

**STEP 3: THE POSTAL SERVICE WILL RETURN THE SIGNED RECEIPT (A GREEN CARD) TO YOU**

**STEP 4:      FILL OUT THE AFFIDAVIT OF SERVICE BY CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED**

- (1)      Enter your name; street address; city, state, and zip code; and phone number.
- (2)      Enter your name as it appears on the Petition/Complaint.
- (3)      Enter Respondent/Defendant's name as it appears on the Petition/Complaint.
- (4)      Enter the case number as it appears on the Petition/Complaint.
- (5)      Enter the date you mailed the court papers to Respondent/Defendant and the street address, city, state, and zip code you mailed them to. Attach a copy of the Summons
- (6)      Enter the date you received the signed green card. Enter the date Respondent/Defendant signed the green card (look on the green card).
- (7)      Sign in front of a notary.
- (8)      Attach the original green card.

**STEP 5:      FILE THE AFFIDAVIT WITH THE COURT**

Take or mail the following to the Clerk's Office in the Coconino County Court House at 200 North San Francisco, Flagstaff, AZ 86001.

- ☐      The original Affidavit with the original green card and a copy of the Summons attached
- ☐      A copy of the Affidavit with a copy of both sides of the green card and a copy of the Summons attached

The Clerk will stamp your copy with the filing date and return it to you for your records. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the copy.

(1) Person Filing: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Representing Self \_\_\_\_\_

**SUPERIOR COURT OF ARIZONA, COUNTY OF COCONINO**

(2) \_\_\_\_\_ (4) Case Number: \_\_\_\_\_  
Petitioner/Plaintiff

(3) \_\_\_\_\_ **AFFIDAVIT OF SERVICE BY CERTIFIED**  
Respondent/Defendant **MAIL, RETURN RECEIPT REQUESTED**

(5) 1. On this date: \_\_\_\_\_, I mailed a Summons (copy attached) and a  
copy of the Petition/Complaint in this action through certified mail, return receipt requested to  
Defendant/Respondent at this address: \_\_\_\_\_

(6) 2. On this date: \_\_\_\_\_, I received the receipt signed by  
Defendant/Respondent (attached), indicating that he/she received the Summons and the copy of  
the Petition/Complaint on this date: \_\_\_\_\_.

(7) \_\_\_\_\_  
Petitioner/Plaintiff: \_\_\_\_\_

State of Arizona )  
 )  
County of \_\_\_\_\_ )

Subscribed and sworn or affirmed before me this date: \_\_\_\_\_  
by: \_\_\_\_\_.

Seal: \_\_\_\_\_ Notary Public: \_\_\_\_\_  
Notary Expiration Date: \_\_\_\_\_

(8)

*(Attach green card here.)*

## INSTRUCTIONS: SERVICE BY PUBLICATION

### STEP 1: TRY TO FIND THE OTHER PARTY

The law requires you to make a diligent effort to find the other party, including such means as:

- ☐ Asking for the other party's whereabouts from his/her co-workers, friends, and relatives
- ☐ Examining phone company records
- ☐ Examining utility company records
- ☐ Examining records kept by the county treasurer
- ☐ Examining records kept by the county recorder or similar agency
- ☐ Employing companies that do computer searches to help you locate the other party if you know the other party's date of birth and/or social security number

**If you find the party**, you must use one of the other service methods.

### STEP 2: FIND A NEWSPAPER

If the other party's last known address is **in Coconino County**, publish in a newspaper in Coconino County. If the other party's last known address is in Arizona but **not in Coconino County**, publish in 1) a newspaper in Coconino County and 2) a newspaper in the county of his/her last known address. If the other party's last known address is **outside of Arizona**, publish in a newspaper in Coconino County.

If there is no newspaper in the county where you need to publish, publish in a newspaper in a neighboring county. Newspapers are listed in the Yellow Pages. The phone number for the *Arizona Daily Sun* in Coconino County is 928-556-2280.

### STEP 3: CALL THE NEWSPAPER(S)

Call the newspaper(s). Tell them you need to publish a Summons once a week for four weeks in a row. Ask the following questions.

- ☐ How much will the publication cost?
- ☐ Will the newspaper prepare and mail you a publisher's affidavit? (Most papers do this automatically; all papers will do this at your request.)
- ☐ Will the newspaper mail you a copy of the legal notice? (Most papers do not do this automatically; *some* papers will do this at your request.)

### STEP 4: FILL OUT THE LETTER: SERVICE BY PUBLICATION

- (1) Enter your name; street address; city, state, and zip code; and phone number.
- (2) Enter the date.
- (3) Enter the newspaper's name; street address; and city, state, and zip code.
- (4) Enter your case number as it appears on your Petition/Complaint.
- (5) Check the appropriate box. If applicable, fill in the blank with the amount you were quoted in Step 2.
- (6) Sign your name.



### **STEP 5: GIVE THE LETTER TO THE NEWSPAPER(S)**

Take or mail the following to the newspaper(s). Keep a copy of everything for your records.

- ☐ The original Letter: Service by Publication
- ☐ A copy of the Summons
- ☐ One of the following:
  - ☐ a check or money order for the cost of publication
  - ☐ a certified copy of the Order from the court waiving the publication costs

### **STEP 6: WAIT FOR THE LEGAL NOTICE TO BE PUBLISHED**

If the newspaper(s) said in Step 3 they would not mail you a copy of the notice, or if you do not receive a copy of the notice by the last date of publication, get the newspaper(s) on that day, cut out your notice, and make a copy of it. After the last date of publication, go to FILL OUT THE AFFIDAVIT, below.

### **STEP 7: FILL OUT THE AFFIDAVIT OF SERVICE BY PUBLICATION**

- (1) Enter your name; street address; city, state, and zip code; and phone number.
- (2) Enter your name as it appears on the Petition/Complaint.
- (3) Enter Respondent/Defendant's name as it appears on the Petition/Complaint.
- (4) Enter the case number as it appears on the Petition/Complaint.
- (5) Enter the steps you took to try to find the other party.
- (6) Enter the name and county of the newspaper(s) you published in and the dates the notice was published.
- (7) Sign in front of a notary.

### **STEP 8: FILE THE AFFIDAVIT WITH THE COURT**

Take or mail the following to the Clerk's Office in the Coconino County Court House at 200 North San Francisco, Flagstaff, AZ 86001.

- ☐ The original Affidavit of Service by Publication with the following attached to it:
  - ☐ The original publisher's affidavit from each newspaper
  - ☐ One copy of each newspaper's notice
- ☐ One copy of the Affidavit with the following attached to it:
  - ☐ A copy of the publisher's affidavit from each newspaper
  - ☐ The original notice from each newspaper

The Clerk will stamp your copy with the filing date and return it to you for your records. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the copy.

**LETTER: SERVICE BY PUBLICATION**

(1) Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

(2) Date: \_\_\_\_\_

(3) Name of Newspaper: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

(4) Re: Case Number \_\_\_\_\_

To Whom It May Concern:

I am enclosing a copy of the Summons in the court case referenced above. Please publish a notice about this case once a week for four successive weeks. Also enclosed is:

- (5) ☐ a check or money order for \$\_\_\_\_\_ for the cost of the publication.  
☐ a certified copy of the Order from the court waiving the publication costs.

Please call me at the number above to tell me when the first publication will occur. When all four weeks of publication have been completed, please send me the original and one copy of the publisher's affidavit.

Thank you for your help in this matter.

Sincerely,

(6) \_\_\_\_\_

Enclosures

(1) Person Filing: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Representing Self

**SUPERIOR COURT OF ARIZONA, COUNTY OF COCONINO**

(2) \_\_\_\_\_ (4) Case Number: \_\_\_\_\_  
Petitioner/Plaintiff

(3) \_\_\_\_\_ **AFFIDAVIT OF SERVICE BY**  
**PUBLICATION**  
Respondent/Defendant

Service by publication is the best way to notify the other party of this case because I do not know where he/she lives. I have not mailed the other party copies of the proceedings. To the best of my knowledge, information, and belief, they are not in the military service of the U.S.

(5) I do not know the other party's residence and whereabouts despite a diligent search including the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(6) I caused the Summons in this case to published in the following newspaper(s) of general circulation:

\_\_\_\_\_ in \_\_\_\_\_ County, Arizona.  
\_\_\_\_\_ in \_\_\_\_\_ County, Arizona.

once a week for four weeks in a row, on the following dates:

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_

Each publisher's affidavit and a copy of the notice as published are attached.

(7) \_\_\_\_\_ Plaintiff/Petitioner: \_\_\_\_\_

State of Arizona )

)

County of \_\_\_\_\_ )

Subscribed and sworn or affirmed before me this date: \_\_\_\_\_  
by: \_\_\_\_\_.

Seal:

Notary Public: \_\_\_\_\_

Notary Expiration Date: \_\_\_\_\_